

February 26, 1991 LB 47, 67, 124, 171, 202

CLERK: (Roll call vote taken. See page 819 of the Legislative Journal.) 18 ayes, 27 nays, Madam President.

PRESIDENT MOUL: The amendment to the amendment fails. I would like to direct your attention to the south balcony. As guests of the Lincoln senators today are fifth grade students from McPhee Elementary and their teachers. Welcome to the Chambers today. I will raise the call. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 47, LB 124, LB 171, and LB 202. Now we will return to the committee amendments. I have raised the call. Senator Johnson.

SENATOR R. JOHNSON: Thank you. Madam President, I'm in sort of a state of dilemma because I like parts of the committee amendments and I don't like the most recent adoption of the Morrissey amendment, primarily because we've given the power of determining the fate of the Whitney exemption to the DEC to decide and so I'm confused in my own mind as to how I may vote on this amendment. But, just to refresh your memory, the committee amendment strikes the contents of the bill and puts in place two basic procedures. The first is a requirement that the second class cities and villages which are currently exempt from licensure shall prepare a plan by December 15th of 1993 for either licensure of their particular landfill or closure of that landfill. And, secondly, the bill also sets up standards for closure or postclosure of landfills in this state. Those two particular items are not objectionable to me, personally. However, as I have said repeatedly, I support the concept of setting a date as to when the exemption will be...come off. I plan on offering an amendment on Select File to do just that. And I will, in the meantime, be working with those who are interested in this issue to find a date certain that might be acceptable to a majority of the parties involved. But I have difficulty, I must admit, supporting the bill right now with the DEC being given the option to decide how Whitney will be enforced or not enforced and that, to me, while I understand the need for flexibility I also understand the need for negotiation and the need for a hammer to bring people together and this bill currently does not have that. And that's the reason that I am very concerned with leaving the bill written in it's present form. But I will try, I guess, I will tell you up front, I'm going to try on Select File to take the Morrissey amendment off the bill and attempt to put a date, whether it's the date in the bill as originally written or a date that is agreed upon to set